

REMARKS

Claims 1-3 and 5-7 remain pending in the present application. By this reply, claims 4 and 8-15 have been canceled. Claims 1 and 5 are independent claims.

Entry of Amendment

Independent claim 1 has been amended to add certain features of claims 3 and 4 which have been already considered by the Examiner. Similarly, independent claim 5 has been amended. Thus, the present amendments do not raise new issues or new matter which would require further consideration and/or search. In the alternative, the present amendments reduce the issues for the appeal and/or place the present application in a better form for allowance. Thus, entry of the present Amendment is deemed proper and respectfully requested.

35 U.S.C. § 103 Rejection

Claims 1-4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Grossman et al. (U.S. Patent No. 5,907,321) in view of Gries (U.S. Patent No. 4,760,391). This rejection, insofar as it pertains to the presenting pending claims, is respectfully traversed.

As discussed above, independent claim 1 has been amended to add certain features of claims 3 and 4.

Applicant's embodied invention is directed to displaying a set channel icon to a user by the OSD before displaying a broadcast signal corresponding to the channel selection made by the user using a channel up/down key manipulation or a number key of the digital television. The channel icon represents a diagram or character representing each broadcast station, or a certain diagram or character in accordance with a received broadcast signal selected by a user, for example, as set forth in paragraph [0026] and paragraph [0033] of the substitute specification. In other words, the channel icon relates to the received broadcast signal or channel and is represented in a lookup table format, such that the user can quickly and easily identify the next channel information in advance.

Grossman et al. is directed to displaying an advertisement information. But the advertisement information pertains to the data of an advertiser and has nothing to do with a diagram or character representing a broadcast station or in accordance with a received broadcast signal selected by a user.

Gries is directed to displaying a channel number and the time of day during the channel selection process. But, the channel number cannot be equated to a diagram or character representing each broadcast station, or a

certain diagram or character in accordance with a received broadcast signal selected by the user as required by Applicant's claimed invention.

Therefore, even if the references are combinable, assuming arguendo, the combination of references would still fail to teach or suggest, *inter alia*:

wherein the next channel icon is displayed during a gap in the channel switching and represents the next channel, and

wherein the storing unit comprises a main memory unit for storing program data and channel icon set so as to represent a received broadcast signal in a lookup table format, and the main memory unit sets a diagram or character representing each broadcast station, or a certain diagram or character in accordance with a received broadcast signal selected by a user as a channel icon, and stores it in a lookup table format

as recited in independent claim 1.

Accordingly, claim 1 and its dependent claims are patentable over the applied references, and the rejection should be withdrawn.

Claims 5-7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Grossman et al. in view of Gries and Lasky. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As discussed above, similar to claim 1, the combination of Grossman et al. and Gries fails to teach or suggest, *inter alia*:

displaying the channel icon of the selected channel on a screen during a gap in channel switching,

wherein the channel icon represents a diagram or character representing each broadcast station, or a certain diagram or character in accordance with the

received broadcast signal, the channel icon being stored in a lookup table format

as recited in independent claim 5.

Lasky does not overcome these deficiencies since Lasky is relied on for teaching the use of an up/down key to make a selection. Thus, independent claim 5 and its dependent claims are patentable over the applied references and the rejection should be withdrawn.

Claims 8-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Gries in view of Lasky. This rejection is respectfully traversed.

Without acquiescing to any of the Examiner's allegations made in rejecting these claims, these claims have been canceled to expedite prosecution. Accordingly, the rejection is moot and should be withdrawn.

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, Applicant respectfully requests the Examiner to reconsider and withdraw all of the objections and rejections of record, and earnestly solicits an early issuance of a Notice of Allowance.

The Examiner is respectfully requested to enter this Amendment After Final Rejection, in that it raises no new issues but merely places the claims in

Office Action mailed November 26, 2003
Amendment filed April 26, 2004

Application No. 09/754,355
Atty. Docket No. 0630-1213P
Page 10

a form more clearly patentable over the references of record. In the alternative, the Examiner is respectfully requested to enter this Amendment After Final Rejection in that it reduces the issues for appeal.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Applicant(s) respectfully petitions under the provisions of 37 C.F.R. § 1.136(a) and 1.17 for a two month extension of time in which to respond to the Examiner's Office Action. **The Extension of Time Fee in the amount of \$420.00 is being paid with the concurrent filing herewith of a Notice of Appeal.**

Office Action mailed November 26, 2003
Amendment filed April 26, 2004

Application No. 09/754,355
Atty. Docket No. 0630-1213P
Page 11

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By James T. Eller, Jr., #39,538
James T. Eller, Jr., #39,538

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JTE/EHC:lmh